

inventive entity as the instant application, citing MPEP § 201.13.

As to reason (1), the translation of the priority document apparently does not list the inventors. As to reason (2), the cited portion of the MPEP would appear to require that a statement be made that the inventors of the priority application are the same as that of the U.S. application.

Enclosed is a Declaration which states that the inventors of the Japanese priority application are the same as that of the U.S. application. The inventors of the subject application have signed and dated the Declaration.

Accordingly, withdrawal of the rejection under 35 U.S.C. § 103(a) and allowance of claims 1 through 16 over the cited patents are respectfully requested.

In view of the foregoing, it is submitted that the subject application is now in condition for allowance and early notice to that effect is earnestly solicited.

In the event this paper is not timely filed, the undersigned hereby petitions for an appropriate extension of time. The fee for this extension may be charged to Deposit

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Account No. 01-2340, along with any other additional fees which may be required with respect to this paper.

Respectfully submitted,

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Enclosure: Declaration